



FAR Case 2001-014

-915

FCA'S STATEMENT ON THE NEED FOR THE FEDERAL CONTRACTOR RESPONSIBILITY RULES (MONDAY, JUNE 18, 2001)

Timothy J. McAnany

President
Los Angeles, CA

John L. Frye

Vice President
Golden Valley, MN

Fred Philipp

Treasurer
Bridgeton, MO

Painting and
Coatings

Drywall Finishing

Glass

Flooring

Signs & Display

Related Finishing
Contractors

James R. Baxter

Executive Vice President
Washington, D.C.

1920 L Street, N.W.
Suite 600

Washington, D.C. 20036

202-955-1360

Fax: 202-955-1361

www.finishingcontractors.org

We are here today to express the Finishing Contractors Association's disappointment over the decision to suspend the Federal Contractor Responsibility Rules. These rules would have strengthened the government's ability to deny contracts to companies violating workplace safety, environmental, tax, and other federal laws.

Our association is a rapidly growing trade association, representing over 1,100 union contractors within the finishing industry which includes drywall finishing, flooring, glass/glazing, painting/decorating, signs/display, and other allied trades. Our members are all signatory contractors with the International Union of Painters and Allied Trades, and they represent numerous affiliate organizations nationwide.

In previous correspondence to your office, we avidly stated our support of the proposed Federal Acquisition Regulation changes that would link future federal contracts with a contractor's past work performance. In light of the Administration's recent suspension of them, we are here today to reiterate our strong support.

Representing union contractors, we already ascribe to our own self-imposed standards of ethics and business practices, designed to gain the public's trust and confidence, as well as to protect the industry. Our members are highly trained to produce top-quality work in accordance with sound industry performance standards. These standards include rigid adherence to the nation's tax, labor, environmental, and employment discrimination laws, as well as careful attention to safety regulations and fair employment and contract fraud statutes.

Unfortunately, we also realize that not all contractors adhere to the same self-imposed code of ethics and fair business practices. Their negative actions do not keep the playing field level since they are not abiding by the same rules, often abusing the trust of the contracting officer, the federal government, the taxpayer, and their competing contractors. Unprofessional actions often result in poorer quality work and cause an assault on our professional integrity and the public's trust. In short, they create a bad overall image of the finishing industry, so a simple slap on their wrists will not solve this problem.

In conclusion, we fully support the need to ensure federal contractors be held to high standards of integrity, business ethics, quality work, and professional performance—as embodied in the Federal Contractor Responsibility Rules. We also fully support any efforts to clarify the FAR so that unscrupulous contractors, who violate the terms of their bid or who have violated workplace safety, environmental, tax, and other federal laws, are held accountable through fines, penalties, suspension, and eventual disbarment. As skilled, professional contractors and “concerned taxpayers,” we too agree: some contractors need to be denied the opportunity to bid on future federal contracts because of their past unprofessional track record.

7/9/01